



## Completing the application for DAC *informal* advice (excluding trees)

Please note that this guidance note has been written to help you complete the application form for *informal* advice, not the Faculty Petition form (which is used for *formal* advice from the DAC i.e. a *DAC Notification of Advice*). You may wish to by-pass this stage, and opt straight for *formal* advice from the DAC if your proposals are already well thought-out and in a complete state. If this is the case please use the application form entitled 'Petition', as opposed to the informal advice application form.

### 1. Contact Details

Please give the full details (preferably with a daytime telephone number and email address) of the person who can best answer any questions about the proposals. This doesn't have to be the incumbent or the Churchwardens. If there is a Fabric Committee or similar grouping to whom the PCC has delegated the works then the Chairman or a member of that Committee might be the most appropriate contact.

### 2. Brief summary or schedule of the proposed works (using a numbered list)

It assists the DAC to have a brief numbered list of what the PCC is proposing, which indicates not only their location within the church but also their complexity. It is helpful if the phrases such as "see attached" are avoided.

### 3. What is the approximate date of your church?

It is always helpful to have a rough date (to the nearest Century will do) of the church as it begins to put the PCC's proposals in context.

### 4. What is the approximate date of the part(s) of the church affected by the proposals?

This date is very important. The DAC, as part of the referral process needs to consider whether the proposals are likely to be of interest to any of the national Amenity Societies. As most churches were not built in one stage and /or have been modified since, it is helpful for the DAC to know if the proposals affect a part of the church of a particular period of construction or re-building or re-working so that this can be taken into account when considering the impact on the church.

### 5. Is the church a listed building?

Most churches in the Diocese are listed. Currently, the listing grades are a mix of the "old" system of A (the highest) B or C and the "new" system of I (the highest), II\*, II. There are some churches (particularly the more modern ones) that are not listed but are still subject to Faculty Jurisdiction. The PCC should bear in mind that the higher the listing grade and the more complex their proposals the stronger the case (Statement of Need) that will have to be made to justify those proposals that might affect the character of the church.

## **6. Is the church in a Conservation Area?**

This information is important, especially with works that affect the external appearance of the church, as the local authority may have concerns about those proposals that are not in keeping with the conservation area.

## **7. Is the churchyard / consecrated burial ground classified as, or part of, a Site of Special Scientific Interest (SSSI) or Scheduled Ancient Monument (SAM)?**

Sites of Special Scientific Interest (SSSIs) are designated where the area concerned contains wildlife or plants that are in need of special care and consideration. Proposals to land so designated require special consent from either Natural England (for the SSSI) and / or English Heritage (for the SAM).

## **8. Who is the architect / surveyor and / or specialist adviser for the proposals?**

Most proposals that the PCC will want to put forward will need the involvement of an architect / surveyor or other specialist.

The DAC's normal advice is that the church should use the Quinquennial Inspection architect / surveyor for these works, as they ought to know the church well. However, there will be occasions when the architect may need to bring in other specialists for advice. Such specialists might include Structural Engineers, Conservators etc for those areas of work that the architect feels are too specialised for them to handle alone. If this is the case, please give the name (not a company) of both the architect and any supporting specialist(s).

Some PCCs are in the position of having an architect / surveyor or other professional as a member of either the PCC or the wider congregation or related to such a member. Sometimes such professionals are prepared to offer their expertise free or at a significantly reduced rate. The DAC would caution PCCs that using such a specialist may save them money but may make the delivery of the project less straightforward as the professional relationship that should exist between the architect / surveyor / specialist and their client is compromised by a conflict of interest. The DAC's advice would be that these 'in-house' specialists might be better used to advise the PCC whilst an 'external' specialist is engaged to direct the works proposed.

The architect and /or the specialist should write a detailed specification that clearly sets out the works to be undertaken together with the materials and techniques to be used for the works. The PCC should then obtain, ideally, three competitive estimates /quotations for the works as set out in the specification. With some works, for example works to the bells, it may not be possible to obtain three competitive estimates / quotations. In these circumstances, the PCC needs to take as much care as possible to satisfy itself that the price is reasonable.

## **9. How much will the proposals cost?**

The DAC finds an estimate of the total cost invaluable in assessing the scale of the works proposed.

## **10. Who will be doing the work?**

The PCC will need to give details of the chosen contractor(s) together with the price estimated / quoted by each contractor and submit a copy of the estimate(s) / quotation(s) with their application.

**11. Has the PCC consulted any of the following?**

Within the Faculty Jurisdiction process, there is a legal responsibility for the PCC to consult relevant national bodies and Amenity Societies. As it can sometimes be difficult for PCCs to work out when and whom to consult, the DAC, as part of its consideration of the PCC's proposals, will sort out the need for consultation with these bodies and ensure that they are asked to comment. In doing that, it is useful for the DAC to know if the PCC has had any contact with the national Societies.

If the answer is yes, please include a copy of the correspondence with the application.

**12. Has the PCC sought advice about how the proposals might affect the archaeology of the church and / or churchyard?**

The church and the churchyard are a record of the past as well as a statement of faith in the present. As a result, the fabric of the church and the burials within it and the churchyard may be of archaeological significance. The PCC needs to discuss with the Architect whether the proposed works are likely to affect the archaeology and what steps might need to be taken to record what is already there ahead of any changes and what might be uncovered by any works (e.g. hidden foundations, evidence of the development of the building, human remains, memorials, tablets).

**13. Is any part of the church used by bats?**

If the answer to this question is yes, the PCC has a legal requirement to seek advice from Natural England about the proposals to make sure that the bats are not adversely affected. This may mean either altering the time of year when the works are undertaken or the materials / chemicals to be used.

The works most likely to affect any bat roosts are those to towers and roofs. In this case, the PCC will probably need, in consultation with Natural England, to commission a Bat Roosts Survey, which should be included with the application to the DAC.

**14. Has the PCC consulted the Borough / District / Parish Council about the need for planning permission?**

Any proposals that affect the external appearance of the church may, in addition to a Faculty, also require planning permission from the local authority. The DAC's advice is that the PCC should ask the question and seek written confirmation to avoid any problems later. A copy of the letter should be forwarded to the DAC either with the application or when it is available.

If the PCC is proposing to build an extension to the church or a detached building in the churchyard, this will require planning permission. However, the DAC's advice to PCCs is that consultation with the DAC should take place first on an informal basis. As part of this consultation, the DAC will usually arrange a site visit to which the local authority's Conservation Officer will also be invited along with representatives of the national bodies such as the Church Buildings Council (CBC) and English Heritage.

Once those discussions have taken place, the PCC will be advised to develop their proposals for informal advice and once the DAC is convinced that the proposals are about right, the PCC will be advised to seek planning permission before applying for the DAC's Notification of Advice. The DAC will need to see the terms on which the planning permission has been granted as this may affect any

conditions that the DAC suggests to the Chancellor should be included on the Faculty.

**15. Do the works affect any memorials (inside or outside the church) or the churchyard walls?**

When a church is listed, the listing description will cover not just the church but also the churchyard and the churchyard wall. Everything within the boundary of the churchyard (the curtilage) is covered by Faculty Jurisdiction – with the exception of planning permission and building regulations (see above).

In addition, in some churchyards, there may be either memorials (box tombs, for instance) and /or churchyard walls (be it in total or in part) that are considered to be worthy of being listed in their own right. Where this happens, those memorials or the churchyard walls so separately listed, there is an additional requirement for any works to have Listed Building Consent from the local authority. This requirement is not removed by the PCC obtaining a Faculty. The DAC would advise any PCC proposing works that affect either tombs in the churchyard or the churchyard wall to check with the local authority whether they are listed in their own right.

Once Listed Building Consent has been obtained, a copy of the Consent should be submitted to the DAC as the conditions imposed by the local authority may impact on the conditions the DAC recommends to the Chancellor should be included on the Faculty.

**16. Has an Archdeacon's Licence for Temporary Re-ordering been obtained so that the PCC can trial the arrangements?**

The Faculty Jurisdiction provides the facility for PCC's to experiment with reversible re-orderings by obtaining an Archdeacon's Licence for Temporary Re-ordering. This Licence normally runs for a maximum of 15 months and requires a Faculty if the PCC wishes to make the arrangements they have trialled permanent. It is useful for the PCC to indicate whether the proposals they are seeking the DAC's advice on are the subject of such a Licence from the Archdeacon.